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EXAMINER KITOV, ZEEV V				
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Response to Arguments

Applicant's arguments have been fully considered but they are not persuasive. Applicant mostly argues an amended version of Claims, which are not entered and therefore are not part of the record. However, some other arguments are to be addressed.

Completely ignoring the motivational statement for combining Delhomme and Becker references (page 5 in the Office Action) Applicant alleges "However, there is no motivation or suggestion to redesign the dryer motor of Delhomme according to the teachings of Becker. For example, the motor of Delhomme (i.e., the rotor 1 and stator 2) does not require, nor is a need suggested for, a switching device between the alleged protective device 26 and the motor 1, 2.

However, the Office Action provides two motivational statements for such repositioning of the parts: (1) It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified the Delhomme circuit by moving the switching device (the inverter) to position between the protective device and the motor since in both cases the protective device interrupts the motor current flowing through the switching device thus protecting both the switching device and the motor, and accordingly as stated in the Court Decision *In re Kuhle*, 526 F.2d 553, 188 USPQ 7 (CCPA 1975), the particular placement of a contact in a conductivity measuring device was held to be an obvious matter of design choice. In the instant case positioning the switching device upstream or downstream of the protective device does not affect the protection itself; in either case the current is interrupted thus protecting the switching

device against overload. (2) Additionally, it is an "obvious to try" case, i.e. choosing from a finite number of predictable solutions when only two positions are available for placing the switching device. The claim would have been obvious because "a person of ordinary skill has good reason to pursue the known option within his or her technical grasp. If this leads to the anticipated success, it is likely the product not of innovation but of ordinary skill and common sense". See *Pfizer, Inc. v. Apotex, Inc.*, 480 F.3d 1348, 82 USPQ2d 1321 (Fed. Cir. 2007).

Applicant further attacks the combination of the references as follows: "Moreover, such a redesign ... would also render the dryer motor useless for its intended purpose" (emphasis added). After such statement one would expect the Applicant to explain how the motor would become useless for its intended purpose when the suggested repositioning takes place. However, no explanation is provided and that is the reason that the Examiner is unable to address this impressive but totally groundless statement.

/Stephen W Jackson/

Primary Examiner, Art Unit 2836